

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

vs.
JOSEPH COPPOLA,

Defendants.

CASE NO: 2:99-cr-00217

ORDER TO CONTINUE PRELIMINARY HEARING

(Fifth Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties require additional time to prepare for the preliminary hearing in this case. The Defense needs additional time to continue working on an issue that may impact the preliminary hearing.
2. Defense Counsel has spoken with Assistant United States Attorney Melanee Smith, and the Government agrees to the continuance.
3. Defendant Joseph Coppola is in custody, and he does not oppose the continuance.
4. The additional time requested herein is not sought for purposes of delay.

1 5. Denial of this request for a continuance would deny the parties sufficient time to
2 prepare for the preliminary hearing, taking into account the exercise of due
3 diligence.

4 6. Additionally, denial of this request for continuance could result in a miscarriage
5 of justice.

6 **CONCLUSION OF LAW**

7 The ends of justice served by granting said continuance outweigh the best interests of the
8 public and the defense, since the failure to grant said continuance would be likely to result in a
9 miscarriage of justice, would deny the defendant sufficient time and the opportunity within which
10 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
11 the exercise of due diligence.

12 **ORDER**

13 IT IS THEREFORE ORDERED that the Preliminary Hearing scheduled for December
14 5, 2022, at the hour of 10:00 a.m., be vacated and continued to the 3rd day of January, 2023, at
15 the hour of 10:00 a.m. in Courtroom 3C.

16 DATED AND DONE this 2nd day of December, 2022.

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21 UNITED STATES MAGISTRATE JUDGE
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